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उप-खण्ड (I)

राज्य सरकार तथा अन्य राज्य-प्राधिकारियों द्वारा जारी किये गये (सामान्य आदेशों, उप-विधियों आदि को सम्मिलित करते हुए) सामान्य कानूनी नियम।

Industries (Gr-I) Department

NOTIFICATION

Jaipur, November 26, 2020

G.S.R.245 .-In exercise of the powers conferred by section 21 of the Rajasthan Enterprises Single Window Enabling and Clearance Act, 2011 (Act No. 07 of 2011), the State Government hereby makes the following rules further to amend the Rajasthan Enterprises Single Window Enabling and Clearance Rules, 2011, namely:-

1. Short title and commencement.- (1) These rules may be called the Rajasthan Enterprises Single Window Enabling and Clearance (Amendment) Rules, 2020.

(2) They shall come into force on and from the date of their publication in the Official Gazette.

2. Amendment of rule 2.- In sub-rule (1) of rule 2 of the Rajasthan Enterprises Single Window Enabling and Clearance Rules, 2011, hereinafter referred to as the said rules, after the existing clause (c) and before the existing clause (d), the following new clause (cc) shall be inserted, namely:-

"(cc) 'Board' means the Board of Investment established and constituted under section 2-A of the Act;"

3. **Insertion of new rule 2A.-** After the existing rule 2 and before the existing rule 3 of the said rules, the following new rule 2A shall be inserted, namely:-

"2A. Meetings of the Board of Investment and conduct of Business.- (1) The Board of Investment shall meet as often as required to carry out its functions but it shall meet at least once in six months.

(2) The Member Secretary of the Board, with the approval of Chairperson**,** may invite the Minister in-charge and Secretary in-charge of the departments concerned and such other experts, if he may deem necessary, as special invitees.

(3) The Member Secretary of the Board shall issue a notice of at least seven days in advance to every member of the Board for every meeting mentioning the date, time and place of the meeting and the business to be transacted thereat. No other business shall be transacted at the meeting except with the permission of the Chairperson. Under urgent circumstances, notice of less than seven days for a meeting may be issued by the Member Secretary.

(4) The quorum for a meeting of the Board shall be at least four members present in persons including the Chairperson of the Board.

(5) The Member Secretary shall maintain an attendance register of Members of the Board / special invitees attending the meetings and every attendee shall sign therein.

(6) The Member Secretary shall issue duly approved minutes of the meeting under his signatures.

(7) The Member Secretary of the Board shall cause to maintain the record of all the proceedings of the meetings, the attendance register and other records of the Board at the office of the Bureau under the Administrative Control of the Member Secretary.

(8) The expenses for discharging the functions of the Board shall be borne and incurred by the Bureau including the expenditure on salaries of staff, maintenance and other expenses required for the Board.

(9) In case of any urgent matter wherein approval of the Board is required and which cannot be kept pending till the next meeting of the Board, decision may be taken by passing the resolution by circulation. The copy of each such resolution passed by the Circulation shall be placed before the Board at its next meeting for affirmation.

(10) The instances of delay by the departments in timelines regarding permissions/clearances, as prescribed in these rules, shall be reported to the Board as a Standing Agenda of the meeting."

4. Insertion of new rule 3A.- After the existing rule 3 and before the existing rule 4 of the said rules, the following new rule 3A shall be inserted, namely:-

"3A. Officers to be deputed in the Bureau.- (1) Pursuant to the provisions of the Act and to achieve the objectives thereof**,** the following shall be depute on part time basis in the Bureau by the department concerned for the purpose of time bound disposal and grant of the necessary approvals and clearances of the investment proposals received under the One Stop Shop relating to their department or instrumentality of the Government, namely:-

(i) An officer not below the rank of Chief Environmental Engineer in the Rajasthan State Pollution Control Board;

(ii) An officer not below the rank of Joint Secretary in the Department of Urban Development and Housing;

(iii) An officer not below the rank of Additional Labour Commissioner in the Department of Labour;

(iv) An officer not below the rank of Additional Director in the Department of Local Self Government;

(v) An officer not below the rank of Deputy Chief Inspector in the Factories and Boilers Inspection Department;

(vi) An officer not below the rank of Chief Engineer (HQ) in Energy Department;

(vii) An officer not below the rank of Deputy Secretary in the Department of Revenue;

(viii) An officer not below the rank of Advisor (Infrastructure) in RIICO;

(ix) An officer not below the rank of Additional Director in the Department of Tourism;

(x) An officer not below the rank of Additional Director in the Department of Industries;

(xi) An officer not below the rank of Deputy Controller in the Department of Consumer Affairs;

(xii) An officer not below the rank of Additional Director in the Department of Medical & Health;

(xiii) An officer not below the rank of Additional Chief Engineer in the Department of Public Health & Engineering;

(xiv) An officer not below the rank of Additional Chief Engineer (Admin) in the Department of Public Works.

(2) Besides the officers specified in sub-rule (1) above, the Board may require any department to depute the officer of their department for the purpose of implementation of the Act and the department concerned shall depute the officer so required in the Bureau.

(3) The Bureau may create such other posts and appoint such other officers and employees therein, as it may consider necessary for efficient discharge of the functions of the Board and One Stop Shop facility.

(4) The Member Secretary may hire services of such consultants / advisors / computer professionals / secretarial and Ministerial staff as may be required, from time to time, to assist the officers deployed in the Bureau to achieve the objectives of the Act.

(5) The services of the officers mentioned above shall be deputed in the Bureau on part time basis by the concerned administrative departments preferably attend office of the Bureau on first half of the working day on every Monday and Thursday of every week or any other day as may be required. For other days, such officers shall continue to coordinate from their respective departments for time bound disposal of the applications.

(6) The officers so deputed under this rule shall be governed under the relevant rules and regulations of their respective cadres in their parent departments or Instrumentalities of the Government, as the case may be.

(7) The salaries, allowances or any other expenses of the officers, so deputed, shall be borne by their concerned departments or Instrumentalities of the Government, as the case may be.

5. Amendment of rule 4.- In sub-rule (8) of rule 4 of the said rules,-

(i) for the existing expression “concerned Departments or Authorities”, the expression “departments including instrumentalities of the Government” shall be substituted; and

(ii) for the existing expression "concerned departments or authorities", the expression “departments including instrumentalities of the Government” shall be substituted.

6. Insertion of new rule 5A and 5B.- After the existing rule 5 and before the existing rule 6 of the said rules, the following new rules 5A and 5B shall be inserted, namely:-

"5A. Powers and Functions of the Commissioner.- The Commissioner shall,-

(i) exercise the power of overall supervision and control on the officers / officials deputed in the Bureau;

(ii) supervise the time bound processing and disposal of necessary permissions/clearances/ approvals of investment proposals received under the One Stop Shop under relevant provisions;

(iii) issue letter of approval/sanction for services included in the existing Single Window Clearance System subject to fulfilment of the conditions specified for such approvals at the recommendation of officer of the concerned department deputed in the Bureau; and

(iv) coordinate for removal of discrepancies, if any, pointed out by the departments or instrumentalities of the Government during the course of processing of an application and interact with the project proposer/ investor. He shall, however, not ask the administrative department to directly interact with the investors, who shall otherwise be legally bound to meet with all the requirements of relevant laws as applicable to a project.

5B. Functions of officers deputed on part time basis.- The officers, deputed on part time basis,-

(i) Shall mandatorily receive the applications only through the electronic portal established for the purpose of implementation of the Act and these rules and coordinate for the time bound processing and disposal of application for permissions /clearances/ approvals under the Single Window Clearance System by their departments or Instrumentalities of the Government, as the case may be. The legal matters arising therein, if any, shall be dealt with by the concerned departments or Instrumentalities of the Government, as the case may be;

(ii) Shall exercise the powers delegated to them;

(iii) Shall, on behalf of the Bureau, coordinate between their department/ instrumentality concerned and the applicant to get the query resolved; and

(iv) Shall maintain record of permissions / approvals concerning to their department given under the One Stop Shop.

7. Amendment of rule 8.- In sub-rule(3) of rule 8 of the sai rules, for the existing expression "Council of Ministers", the expression "Board of Investment" shall be substituted.

8. Substitution of Schedule-II.- The existing Schedule-II appended to the said rules

shall be substituted by the following, namely:-

"Schedule-II

(see rule 6)

Part–A

(For permission/clearance)

Time Limit for Nodal Agency for State Empowered Committee/District Empowered Committee

S. No.	Time Limit For	Time Limit (Within Working Day)
1	2	3
1.	All Agency to place the application for permission	
	(i) before the concerned Empowered Committee for decision in cases where the concerned Competent Authority has failed to decide the application within the prescribed time limit.	30 days counted from the last date of the time limit prescribed in Schedule-I for the Competent Authority to take the decision.
	(ii) before the chairperson of the concerned Empowered Committee in case the Committee is unable to meet or otherwise is unable to consider the application within 30 days.	15 days counted from last date of the time limit prescribed in item (i) above.

Part–B

(For all agendas being placed in the State Empowered Committee /Board of Investment)

Time Limit for

Nodal Agency, Departments and State Empowered Committee

S. No.	Time Limit For	Time Limit (Within Working Day)
1.	Comments to be asked from the Competent Authority/concerned department**s** or authority on application/ request for concessions, exemptions or relaxations or grant of Customized Packages.	7 days from the receipt of complete application/request
2.	Comments to be provided by the Competent Authority/concerned department**s** or authority on application/ request for concessions, exemptions or relaxations or grant of Customized Packages.	25 days from the receipt of the application/request
3.	Submission of the agenda to the State Empowered Committee on the application/request for concessions, exemptions or relaxations or grant of Customized Packages	30 days from the receipt of the comments from the departments

4.	Submission of the agenda including recommendation of the State Empowered Committee on the application/request for concessions, exemptions or relaxations or grant of Customized Packages to the Board of Investment.	30 days from the date of the State Empowered Committee meeting
5.	Issuance of the orders of the Board of Investment to the Competent Authority/concerned departments.	15 days from the date of issuance of the minutes of the meeting of the Board of Investment
6.	Issue of notification/orders by the Competent Authority/concerned departments.	15 days from the issuance of the orders of the Board of Investment

[No.F.23(17)Industries/I/2019]

By order of the Governor,

Chinmayee Gopal,

Joint Secretary to the Government.

राज्य केन्द्रीय मुद्रणालय,जयपुर।